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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,257	05/25/2001	Dale Lowry	26530.56	4956
27683	7590	06/25/2004	EXAMINER	
HAYNES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202			MOSLEHI, FARHOOD	
		ART UNIT	PAPER NUMBER	
		2154		
DATE MAILED: 06/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/865,257	LOWRY ET AL.	
	<b>Examiner</b> Farhood Moslehi	<b>Art Unit</b> 2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 06 April 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 21-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 21-41 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____.   |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

1. Claims 21-41 are presented for examination.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claim 21-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Hemphill et al. (6,167,448) (hereinafter Hemphill).
4. As per claim 21, Hemphill describes a method for providing an event system in a distributed directory-enabled application environment using an extensible Markup Language ("XML") application program interface, the interface including at least one event delineated by an event parameter, the event defining an object delineated by an

object property and an object parameter, the method comprising: defining at least one subscription filter allowing subscriber to selectively filter the event (e.g. col. 4, lines 58-65);

Publishing the event (e.g. col. 4, lines 63-65);

Retrieving a subscriber list, the list including the subscriber and the subscription filter (e.g. col. 4, lines 32-38);

Selecting the subscriber and the subscription filter from the list (e.g. col. 4, lines 48-57);

Filtering the event through the subscription filter (e.g. col. 4, lines 49-57);

Passing the event to the subscriber if the event passes through the subscription filter (e.g. col. 4, lines 49-57); and acting on the event (e.g. col. 4, lines 32-45).

5. As per claim 22, Hemphill clearly shows the method further including filtering the event through an event filter based on the event parameter (e.g. col. 10, lines 49-54).

6. As per claim 32, it is rejected for similar reasons as stated above.

7. As per claim 23, Hemphill clearly shows the method further including acting on the event by altering the event parameter, so that the event is transformed through the alteration (e.g. col. 9, lines 26-45).

8. As per claim 33, it is rejected for similar reasons as stated above.

9. As per claim 24, Hemphill shows the method further including filtering the event through an object filter, whereby the event is filtered based on the object property (e.g. col. 11, lines 10-30).

10. As per claim 34 it is rejected for similar reasons as stated above.

11. As per claim 25, Hemphill shows the method further including acting on the event by altering the object property, so that the event is transformed through the alteration (e.g. col. 11, lines 10-30).
12. As per claim 35, it is rejected for similar reasons as stated above.
13. As per claim 26, Hemphill shows the method further including filtering the event through a parameter filter, whereby the event is filtered based on the object parameter (e.g. col. 10, lines 49-54, a filter is an object therefore changing parameters in a filter and changing parameters of an object is identical operations).
14. As per claim 36, it is rejected for similar reasons as stated above.
15. As per claim 27, it is rejected for similar reasons as stated in claims 25 and 26).
16. As per claim 37, it is rejected for similar reasons as stated above.
17. As per claim 28, Hemphill shows the method further including acting on the event by terminating the event, so that the event is topped by the termination (e.g. col. 11, lines 10-30, it is an inherent property of JavaScript to terminate objects once they have been terminated and the objects are automatically collected via the garbage collection mechanism).
18. As per claim 38, it is rejected for similar reasons as stated above.
19. As per claim 29, Hemphill describes the method further including tracking the event, whereby information about the event may be gathered (e.g. col. 5, lines 61-65).
20. As per claim 29, it is rejected for similar reasons as stated above.

21. As per claim 30, Hemphill describes the method further including generating reports from the gathered information, so that the information about the event may be compiled (e.g. col. 4, lines 49-57).
22. As per claim 40, it is rejected for similar reasons as stated above.
23. Claim 31 is rejected under 35 U.S.C. 102(e) as being anticipated by Slaughter et al. (6,643,650) (hereinafter Slaughter).
24. As per claim 31, Slaughter teaches a computer system for providing an event system in a distributed directory-enabled application environment using extensible Markup Language ("XML") application program interface, the interface including at least one event delineated by an event parameter, the event defining an object delineated by an object property and an object parameter, the system comprising:
  - At least one processor (e.g. col. 6, lines 22-30);
  - At least one memory accessible to the processor (e.g. col. 6, lines 22-30);
  - A first application stored in a first portion of the memory (e.g. col. 26, lines 28-38);
  - A second application stored in a second portion of the memory (e.g. col. 26, lines 28-38);
  - Defining at least one subscription filter allowing a subscriber to selectively filter the event (e.g. col. 31, lines 61-66);
  - Parsing the event with an XML parser (e.g. col. 25, lines 32-43);
  - Instantiating the event as a Data Object Model (DOM) class when services required by the event are unavailable (e.g. Figure 9);
  - Publishing the event by the first application (e.g. Figure 9);

Retrieving a subscriber list, the list including the subscriber and the filter (e.g. col. 8, lines 25-30);

Selecting the subscriber and the filter from the list (e.g. col. 8, lines 25-30); filtering the event through the filter (e.g. col. 8, lines 50-55); subscribing to the event by the second application if the event passes through the filter (e.g. Figure 37);

25. And acting on the event by the second application (e.g. col. 5, lines 7-15).
26. Claim 41 is rejected under 35 U.S.C. 102(e) as being anticipated by Sonderegger et al. (6,173,289) (hereinafter Sonderegger).
27. As per claim 41, Sonderegger teaches a method for providing an event system in a distributed directory-enabled application environment using an extensible Markup Language ("XML") application program interface, the interface including at least one event delineated by an event parameter, the event defining an object delineated by an object property and an object parameter, the method comprising:

Defining at least one subscription filter allowing at least first and second subscribers to selectively filter the event (e.g. Figure 3);

Publish the event (e.g. Figure 3);

Retrieving a subscriber list, the list including the first and second subscribers and the subscription filter (e.g. Figure 7B); selecting the first and second subscribers and the subscription filter from the list (e.g. Figure 7B); passing the event to the first subscriber if the event passes through a subscription filter (e.g. col. 2, lines 35-57); modifying the event based on an alteration of at least one of the event parameter and the object

parameter by the first subscriber (e.g. col. 2, lines 35-57); and passing the modified event to the second subscriber (e.g. col. 2, 58-65).

28. In the remarks, applicants argued in substance that (1) Hampill fails to teach every element of claim 21.

29. As to point (1) the examiner disagrees because Hampill teaches the ability to deliver event-related information of a managed device to a management server of a network. The use of markup language such as XML for example provides a flexible scheme for encoding management information in response to a management event. Publishing events and retrieving a subscriber list and the associated filters are described by the managed objects and their associated events that are published by the network management system.

### ***Conclusion***

30. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent number 6,125,391 to Meltzer et al.

US Application Publication number 2003/0069874 to Hertzog et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

  
ZARNI MAUNG  
PRIMARY EXAMINER

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